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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,988	02/13/2001	Hitoshi Sekine	49986-0505	1948

29989 7590 08/11/2004	EXAMINER
HICKMAN PALERMO TRUONG & BECKER, LLP	EHICHIOYA, FRED I
1600 WILLOW STREET	

	ART UNIT	PAPER NUMBER
SAN JOSE, CA 95125	2172	

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Advisory Action	09/782,988	SEKINE ET AL.
	Examiner	**Art Unit**	
	Fred I. Ehichioya	2172	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☒ The period for reply expires _3_ months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☒ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: *See Continuation Sheet.*

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☐ The a)☐ affidavit, b)☐ exhibit, or c)☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☒ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1 - 4, 6 - 14, 16 - 24, and 26 - 31.*

   Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

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ALFORD KINDRED
PRIMARY EXAMINER

U.S. Patent and Trademark Office
PTOL-303 (Rev. 11-03)   Advisory Action   Part of Paper No. 20040804

Continuation of 2. NOTE: Examiner disagrees with applicants' remarks/arguments that "Ramsey and Moon, taken alone or in combination, do not teach or suggest a data processor configured to both "process a search query against the digital data stored on the WORM storage device" and in response to processing the search query against the digital data stored on the WORM storage device, generate data that identifies data stored on the WORM storage device that satisfies the search query" (page 5, paragraph 2) and that "Moon does not in any way teach or suggest that the data processor is configured to "in response to processing the search query against the digital data stored on the WORMstorage device, generate data that identifies data stored on the WORM storage device that statisfies the search" (page 6, paragraph 2). Examiner responded to these allegations in the last Office Action by pointing out the sited columns and lines for these claim limitations. Examiner wishes to reiterate here that Ramsay teaches an interface configured to receive digital data (see column 19, lines 64 – 67); and a data processor communicatively coupled to the interface and being configured (see column 27, lines 40 – 43 and lines 64 – 67); and that Moon teaches process a search query against the digital data stored on the WORM storage device (see column 1, lines 17 – 23, "searching of digital data"), and in response to processing the search query against the digital data stored on the WORM storage device, generate data that identifies data stored on the WORM storage device that satisfies the search query ("generating basic unit information related to each of the basic units of the data stream, and generating stream information including a plurality of the basic unit information, each of the basic unit information of the basic unit having arrival time information of a first packet of data of a corresponding basic unit", see column 3, lines 60 - 65). The combination of Ramsay and Moon clearly suggest the limitations as argued by the applicants. The motivation is that the combination of Moon and Ramsay create digital data stored on the WORM that can be searched, playback and could be used in digital satellites and digital cable broadcasting.